

Lincoln



Nebraska's Capital City

December 19, 2001

Mayor Wesely and City Council
City of Lincoln
City County Building
Lincoln, NE

Mayor Wesely and Members of the City Council:

An investigation has been made regarding the application of Whitehead Oil Company, d.b.a. U-Stop Convenience Shop, 2700 Porter Ridge Road requesting a class D liquor license for this location.

U-Stop requested that Britany Davis be approved as the manager of this liquor license.

Background information on Britany Davis will be omitted as she was approved by the council in January 2000 as the manager for the U-Stop located at 610 South 10th.

Information on the shareholders is included in your packet for review.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

THOMAS K. CASADY, Chief of Police



Police Department

575 South 10th Street / Lincoln, Nebraska 68508 / Phone: 402-441-7204 / Fax: 402-441-8492 / Website: www.ci.lincoln.ne.us

A nationally accredited law enforcement agency



STATE OF NEBRASKA

(D-54106) 1/14/02; 1/28/02 1/h

Att: 1-14-02
FH: 1-14-02



Mike Johanns
Governor

CERTIFIED

December 14, 2001

NEBRASKA LIQUOR CONTROL COMMISSION

Forrest D. Chapman

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814

TRS USER 800 833-7352 (TTY)

Joan Ross, City Clerk
County/City Bldg
555 So 10th St., Ste 103
Lincoln, NE 68508

RE: Package Liquor Application (Whitehead Oil Company)

2700 Porter Ridge Rd., Lincoln, Lancaster Co.

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose NOT to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Lucy Hoffman
Licensing Division

Enclosures
Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

FORM 35-4001
REV. 12-99

APPLICATION FOR LICENSE

Nebraska Liquor Control Commission
PO Box 95046, 301 Centennial Mall South
Lincoln, NE 68509-5046

http://www.nlc.org/home/NLCC/ Phone: (402) 471-2571
Fax: (402) 471-2571

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NEBRASKA LIQUOR
CONTROL COMMISSION
(5-4106)

INSTRUCTIONS: Include: 1. Applicable fees payable to Liquor Control Commission 2. Copy of birth certificate or naturalization papers proving U.S. citizenship for each individual and spouse named on application (not required of corporations or spouses) who file an affidavit of no interest with application. Commission form 4178 3. Corporations must include copy of articles of incorporation as filed with the Secretary of States office in the state of Nebraska 4. Commission checklist, form 4251 5. Fingerprint cards and processing fees (are required of individuals, all partners and spouses. Corporate applicants must file for CEO/Manager & stockholders/member holding over 25% stock/interest. 6. All applications must be typewritten or printed clearly. 7. Submit in Triplicate

CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND LIST OF FEES FOR EACH

Class of License (Check applicable class)	Registration Fee	License Fees	Corporate Surety Bond
<input type="checkbox"/> A Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> F Beer, On Sale Only - Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> B Beer, Off Sale Only - Indicate Inside or Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> J Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> I Spirits, Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input checked="" type="checkbox"/> D Spirits, Wine, Beer, Off Sale Only - Inside Corporate Limits	\$45.00	\$150.00	exempt
<input type="checkbox"/> DI Spirits, Wine, Beer, Off Sale only - within extraterritorial zoning jurisdiction	\$45.00	\$150.00	exempt
<input type="checkbox"/> C Spirits, Wine, Beer On & Off Sale - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> M Bottle Club (Spirits, Wine, Beer, on Sale)	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> H Nonprofit Corporation	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> K Wine Only, Off Sale	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> O Boat	\$45.00	\$ 50.00	exempt
<input type="checkbox"/> V Manufacturer of Beer, Wine & Distilled Spirits	\$45.00	Varies \$100 to \$1,000	\$10,000 min.
<input type="checkbox"/> X Wholesale Liquor	\$45.00	\$500.00	\$ 5,000 min.
<input type="checkbox"/> W Wholesale Beer	\$45.00	\$250.00	\$ 5,000 min.
<input type="checkbox"/> Y Farm Winery	\$45.00	\$250.00	\$ 1,000 min.
<input type="checkbox"/> L Craft Brewery (Brew Pub)	\$45.00	\$250.00	\$ 1,000 min.

TYPE OF APPLICATION

Type of application being applied for
(place appropriate number in box)

3

- 1= Individual License requires
Form 1 to be attached.
2= Partnership License requires
Form 2 to be attached.
3= Corporate License requires
Form 3 and 4 and Manager
Application be attached.

CORPORATE SURETY BOND INFORMATION

Bond Company - for Classes L V W X Y only

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Start Date Month/Day/Year

Bond Number: 1-3-2001

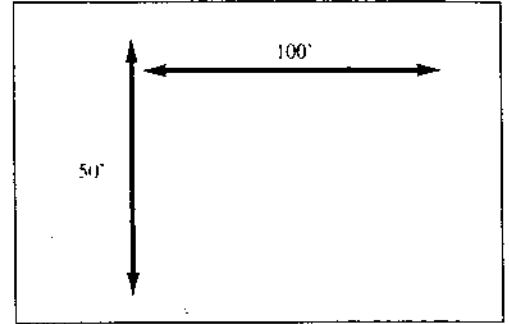
NEBRASKA LIQUOR
CONTROL COMMISSION

SECTION A - LOCATION INFORMATION - Must be completed by all applicants

Trade Name (name of business) U-STOP CONVENIENCE SHOP			Telephone Number at premise to be licensed (402) 421-6633		
1) Street Address of Proposed licensed premise 2700 PORTER RIDGE ROAD			2) Mailing Address for receipt of Liquor Control Commission mailings 2537 RANDOLPH STREET		
City	County	Zip Code	City	County	Zip Code
LINCOLN	LANCASTER	68521	LINCOLN	LANCASTER	68510

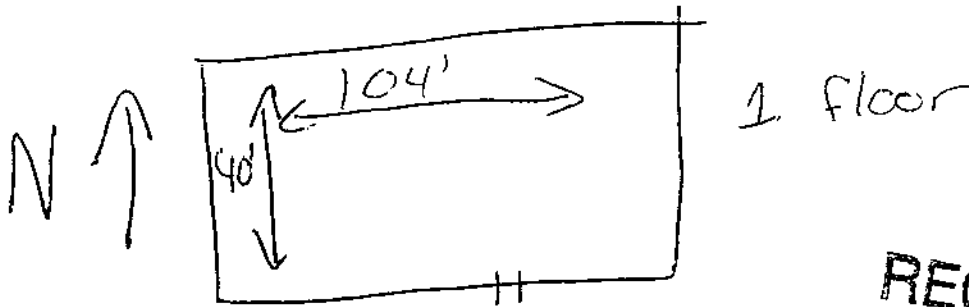
DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations where only a portion of the entire bldg. is to be covered by the license. No blue prints will be accepted. Be sure to indicate the direction North and number of floors of the building.



Example: East portion approximately 50' x 100' of main floor of 3 story building plus basement approximately 30' x 50' at the East end.

SEE ATTACHED



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NEBRASKA ALCOHOL
CONTROL COMMISSION

SECTION B	OTHER INFORMATION REQUIRED		
	Yes	No	Explanation/Comments
<p>I. READ CAREFULLY. Answer completely and accurately.</p> <p>Has anyone who is a party to this application, or their spouse, <u>ever</u> been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor or violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	Yes	No	Explanation/Comments
2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required).		X	
3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license? If yes, attach copy.		X	
4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.	X		Union Bank & Trust
5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.		X	
6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner.		X	
7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain?		X	
8. Are the premises to be licensed within 150 ft. of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft. of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Per Sec. §53-177.		X	<p>RECEIVED</p> <p>DEC 18 2001</p> <p>NEBRASKA LIQUOR CONTROL COMMISSION</p>
9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the persons exact duties.		X	
10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the person(s) who will be authorized to write checks and/or make withdrawals on accounts at such institutions.			<p>Union Bank & Trust</p> <p>Mark A. Whitehead</p> <p>Alan A. Makovicka</p>
11. List all past and present liquor licenses held by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.			SEE ATTACHED
12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.			<p>BRITANY DAVIS</p> <p>40 hours</p>
13. List the training and experience of the person listed in #12 above in connection with selling and/or serving alcohol products. location			<p>BRITANY IS ONE OF OUR convenience store managers at a which sells alcohol and took classes with the Responsibility Hospitality Council</p>
14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership, if leased submit a copy of the lease covering the entire license year. (Documents must show title or lease held interest in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed).			<p>Copy of Lease Submitted</p> <p>See Attached</p>
14. When do you intend to open for business?			November 15, 2001

16. List the principal residence for the past 10 years for all persons required to sign application. If necessary attach a separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
See Attached			

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders/members (holding more than 25% of the stock or interest), officers, directors and spouses must sign. Full names only, initials not acceptable.

sign
here

Mark A. Whitehead Pres

sign
here

Channon Utter

sign
here

Sydney A. Utter

sign
here

Joseph D. Utter

sign
here

John J. Utter

sign
here

John J. Utter

sign
here

John J. Utter

sign
here

John J. Utter

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Subscribed in my presence and sworn to before me this

10th

day of

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In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.



sign
here

Alan A. Makovicka

Notary Public Signature

SOUTH 27th STREET

McLW
Rob
2' SETBACK?

FUTURE CAR WASH

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CONTROL COMMISSION

20' PARKING SETBACK

PORTER RIDGE ROAD

20' BUILDING AND

 SITE PLAN
SCALE: 1" = 10'-0"

EXHIBIT "B"

ADDRESS	LICENSE NUMBER
240 N. 17 th Street Lincoln Ne	18518
8231 East "O" Street Lincoln Ne	44565
942 S. 27 th Street Lincoln Ne	20039
5600 S. 56 th Street Lincoln Ne	20040
1421 Centerpark Road Lincoln Ne	30972
1421 Centerpark Road Lincoln Ne	30963
3244 Cornhusker Hwy Lincoln Ne	30676
3244 Cornhusker Hwy Lincoln Ne	30675
2925 NW 12 th Lincoln Ne	44186
6801 Wildcat Drive Lincoln Ne	45418
6801 Wildcat Drive Lincoln Ne	45417
502 Hwy 6 Ashland Ne	50125

Question #11

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NEBRASKA LIQUOR
CONTROL COMMISSION

Corporation/LLC Application for License - Form 3

Nebraska Liquor Control Commission

INSTRUCTIONS:

- 1) Application and application for manager must be **new** written and submitted in triplicate
- 2) Fingerprint cards (2 cards per person) must be submitted for: a) each person who is 25% or more of the stock, b) chief executive officer, c) proposed manager and d) all spouses
- 3) Information regarding spouses must be completed

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Name of Corporation That Will Hold License. Attach copy of Articles of Incorporation		Total Number of Shares (if corporation)	
Whitehead Oil Company dba U-Stop Convenience Shop		1,000	
Corporate Street Address (1)	Mailing address for receipt of Liquor Control Commission Mailings	Corporate Telephone Number	
2537 Randolph	2537 Randolph	402-435-3509	
City	State	Zip Code	
Lincoln	Nebraska	68510	
Name of Registered Agent		Name of Proposed Manager	
Mark Adams Whitehead		Brian Makovicka	
IN THIS SECTION LIST THE NAME OF THE CHIEF EXECUTIVE OFFICER			
Name	Title	Date of Birth	Social Security Number
Mark Adams Whitehead	President		
Home Address (1)		State	
4605 South 98th Street		Nebraska	
City	State	Zip Code	Home Telephone Number
Lincoln	NE	68526	402-488-8578

Corporation/LLC Application for License - Form 3

Nebraska Liquor Control Commission

INSTRUCTIONS:

- 1) Application and application for manager must be written and submitted in triplicate
- 2) Fingerprint cards (2 cards per person) must be submitted for: a) each individual who owns 25% of the stock, b) chief executive officer, c) proposed manager and d) all spouses
- 3) Information regarding spouses must be submitted

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CONTROL COMMISSION

Name of Corporation That Will Hold License. Attach copy of Articles of Incorporation		Total Number of Shares (if corporation)	
Whitehead Oil Company dba U-Stop Convenience Shop		1,000	
Corporate Street Address (1)		Corporate Telephone Number	
2537 Randolph		402-435-3509	
City	State	Zip Code	
Lincoln	Nebraska	68510	
Name of Registered Agent		Name of Proposed Manager	
Mark Adams Whitehead		Brian Makovicka	
IN THIS SECTION LIST THE NAME OF THE CHIEF EXECUTIVE OFFICER			
Name	Title	Date of Birth	Social Security Number
Mark Adams Whitehead	President		
Home Address (1)		State	
4605 South 98th Street		Nebraska	
City	State	Zip Code	Home Telephone Number
Lincoln	NE	68526	402-488-8578

Name	From (Year)	To (Year)	Residence (City, State)
Mark A. Whitehead	1975	1979	Lincoln, Nebraska & Manhattan, Kansas
	1979	present	Lincoln, Nebraska
Christian Whitehead	1962	1984	Lincoln, Nebraska
	1984	1986	Norfolk, Nebraska
	1986	1987	Omaha, Nebraska
	1987	1988	Auburn Hills, Michigan
	1988	1991	Grand Rapids, Michigan
	1991	1994	Arpharetta, Georgia
	1994	present	Lincoln, Nebraska

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Question #16

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Corporation/LLC Application for License - Form 3

PRINCIPLE OFFICERS, DIRECTORS, STOCKHOLDERS, MEMBERS AND SPOUSES					
Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title	Number of Shares/ %	
NAME Whitehead, Mark Adams			President	520	
Spouse Name Whitehead, Christian A.					
NAME Jaggers, Lesley			Treasurer	240	
Spouse Name Jaggers, Kent					
NAME Uthoff, Sydney			Secretary	240	
Spouse Name Uthoff, Steve					
NAME					
Spouse Name					
NAME					
Spouse Name					
NAME					
Spouse Name					

(If Necessary, Continue on Separate Sheet)

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Corporation/LLC Application for License - Form 3
Nebraska Liquor Control Commission

Is this Corporation/LLC controlled by another Corporation? ☐ YES ☒ NO

Name of Control Corporation

IF YES, LIST EACH STOCKHOLDER/MEMBER OWNING MORE THAN 25% stock/interest in that corporation/LLC. Any applicant who has a Corporation as a shareholder MUST file an organizational chart listing all shareholders and/or corporations owning more than 25% stock and listing of the percentage of stock owned

Please indicate below your corporate tax year with the IRS

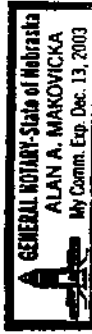
Starting Date: Jan / 1 Ending Date: Dec / 31

STATE OF Nebraska

Lancaster County

Alan A. Markovicka

Notary Public Signature & Seal



In Compliance with ADA, this form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format

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NEBRASKA LIQUOR
CONTROL COMMISSION

By

Mark A. Markovicka

PRESIDENT/MEMBER

Sydney H. Markovicka

SECRETARY/MEMBER

Corporation/LLC Application for License - Form 3

PRINCIPLE OFFICERS, DIRECTORS, STOCKHOLDERS, MEMBERS AND SPOUSES				
Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title	Number of Shares/%
NAME Whitehead, Mark Adams			President	520
Spouse Name Whitehead, Christian A.				
NAME Jaggers, Lesley			Treasurer	240
Spouse Name Jaggers, Kent				
NAME Uthoff, Sydney			Secretary	240
Spouse Name Uthoff, Steve				
NAME				
Spouse Name				
NAME				
Spouse Name				
NAME				
Spouse Name				

(If Necessary, Continue on Separate Sheet)

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NEBRASKA LIQUOR
CONTROL COMMISSION

Application for Corporate Manager

Must Be a Nebraska Resident

Please submit in Triplicate

Return to: Nebraska Liquor Control Commission, PO Box 95046
301 Centennial Mall So., Lincoln NE 68509

Phone: (402) 471-2571 Fax: (402) 471-2814 Web address: <http://www.nlc.org/home/NLC.htm>

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LIQUOR LICENSE INFORMATION				
NAME OF LICENSED CORPORATION			CLASS & LICENSE NUMBER	
WHITEHEAD OIL COMPANY			PENDING	
TRADE NAME OF LICENSED PREMISE				
U-STOP CONVENIENCE SHOP				
STREET ADDRESS OF LICENSED PREMISE	CITY	COUNTY	ZIP CODE	
2700 PORTER RIDGE ROAD	LINCOLN	LANCASTER	68516	
On behalf of the corporation, I designate this individual as corporate manager.				
Signature of Corporate President/CEO: <i>[Signature]</i>				
APPLICANT INFORMATION (MUST BE 21 OR OVER)				
NAME (LAST, FIRST, MIDDLE, MAIDEN)	SEX	SOCIAL SECURITY NUMBER	DATE OF BIRTH	PLACE OF BIRTH
DAVIS, BRITANY, SUSANNE	F			LINCOLN NE
HOME STREET ADDRESS	CITY	COUNTY	STATE	ZIP CODE
3070 VINE STREET	LINCOLN	LANCASTER	NE	68503
HOME TELEPHONE NUMBER	BUSINESS TELEPHONE NUMBER	DRIVERS LICENSE NUMBER & STATE		
(402) 476-8969	(402) 474-7346	NE		
SPOUSE'S INFORMATION (IF NOT MARRIED INDICATE NONE)				
FULL NAME (LAST, FIRST, MIDDLE, MAIDEN)	SOCIAL SECURITY NUMBER	DRIVERS LICENSE NUMBER & STATE		
NOT MARRIED				
DATE OF BIRTH:	PLACE OF BIRTH:			

1. READ CAREFULLY - Answer completely and accurately.

Has anyone who is a party to this application or their spouse, ever been convicted of or plead guilty to any criminal charge? Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☐ YES ☒ NO

2. Have you or your spouse ever made application for any liquor license or manager for any liquor license? IF YES, for what premise give license number and date.

☒ YES ☐ NO U-STOP 610 S. 10th Street Lincoln, Ne 68508 B 18519

Jan 2002

☐ YES ☒ NO

☒ YES ☐ NO

☒ YES ☐ NO ~~ALREADY ON FILE~~

APPLICANT: CITY & STATE	YEAR FROM TO		SPOUSE: CITY & STATE	YEAR FROM TO	
LINCOLN NE	1990	PRESENT			

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
7/99	PRESENT	WHITEHEAD OIL dba U-ST@P	BRIAN MAKOVICKA	402-435-3509
'96	'99	ARAMARK SERVICES	DANA HOFFMAN	

STATE OF NEBRASKA)
COUNTY OF LANCASTER) SS

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and inaccurate.

Signature of Applicant

Signature of Spouse (if applicable)

Subscribed in my presence and sworn to before me this 10th
day of October 2001.

Subscribed in my presence and sworn to before me this _____
day of _____

Notary Signature

Notary Signature & Seal

GENERAL NOTARY - State of Nebraska
ALAN A. MAKOVICKA
 My Comm. Exp. Dec. 13, 2003